

March 31, 2019

Mr. Anthony Housefather, M.P.
Chair, Standing Committee on Justice and Human Rights
Sixth Floor, 131 Queen Street
House of Commons
Ottawa, ON K1A 0A6

Dear Mr. Housefather and Members of the Committee,

At the Standing Committee on Justice and Human Rights meeting held on March 6, 2019, certain Committee members requested that I voluntarily provide copies of text messages and notes which are relevant to the Committee's examination of these matters. As I said at the time, I do not have control of these documents, though through my lawyers I obtained access to them in order to prepare for the hearing and refresh my memory. The Prime Minister's Office retains custody and control of these documents. Through counsel, I have been advised that there is no objection to me providing the Committee with the supporting documents I referred to or relied upon when preparing my evidence. Any redactions made were made to prevent the release of personal or irrelevant information, or to protect cabinet confidences which fall outside the scope of Order in Council number 2019-0105. The following statement is made in accordance with that Order in Council.

I have read The Honourable Jody Wilson-Raybould's report of her discussions with Ms. Prince concerning the conversation Ms. Prince had with me and Katie Telford on December 18, 2018. I want to reiterate my strong disagreement with the former Attorney General's characterization of events, as reported to her by Ms. Prince.

First, it is important to note that Ms. Prince is a lawyer. I am not. I asked Ms. Prince to explain to me the difference between the events surrounding the Milgaard case and this one, from a legal perspective. I did not cite it as historical precedent. I told her that The Right Honourable Brian Mulroney personally described having met with the then Attorney General Kim Campbell to request she find a solution, following Mr. Mulroney meeting with David Milgaard's mother. I then asked her what was the difference between seeking advice in that case and this one? She did not explain the difference. Parenthetically, the account Mr. Mulroney told me appears in his memoirs around page 899.

Second, The Honourable Jody Wilson-Raybould reported that Ms. Prince implied we could engineer a desired outcome by influencing third party advice. As I said in my testimony, that was not what I meant at all. I said that I didn't see how getting advice from someone like retired Chief Justice Beverley McLachlin constituted political interference. I would add that the suggestion that political staff could influence the opinion of a retired Supreme Court justice on a matter of law is far-fetched. I did not and would not make such a suggestion.

Third, as The Honourable Jody Wilson-Raybould omitted the correspondence between us surrounding our December 5th meeting, I am attaching it here in full. This correspondence corroborates the version of events I described in detail in my testimony on March 6th and elaborates on the collegial tone of the dinner, the discussion and our subsequent interactions. These text messages can be found at Tab 1 (November 23, 2018-November 28, 2018) and Tab 2 (December 5, 2018-December 11, 2018).

I have also attached the extensive correspondence between us covering the week between the 7th of January and the 13th of January, 2019. I believe it tells a different story than the new one described yesterday by The Honourable Jody Wilson-Raybould. These texts can be found at Tab 3.

In addition, I have included my contemporaneous handwritten notes of the call I attended between The Right Honourable Justin Trudeau and The Honourable Jody Wilson-Raybould on January 7, 2019, when the former Attorney General learned she would be moved into a new cabinet role. I have redacted the notes for relevance only, and provided a transcript with this brief. While the former Attorney General takes issue with my evidence about her use of the words “dream job”, my contemporaneous notes indicate those were her words, and I wrote the phrase in quotation marks.

Finally, I want to reiterate that I stand by my statement and evidence of March 6, 2019 in its entirety. I hope the additional information contained in and with this statement aids the Committee in its deliberations.

Sincerely,

Gerald Butts